

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION

O. C. BORDEN, JR.,)
Petitioner)
v.)
GRANTT CULLIVER, WARDEN,) Case No. 4:06-cv-00217-LSC
and THE ATTORNEY GENERAL)
OF THE STATE OF ALABAMA,)
Respondents)

FINAL JUDGMENT

On November 30, 2006, the magistrate judge's report and recommendation was entered and the parties were allowed therein eleven (11) days in which to file objections to the recommendations made by the magistrate judge. On December 8, 2006, petitioner filed objections to the magistrate judge's report and recommendation.¹

After careful consideration of the record in this case, the magistrate judge's report and recommendation and the petitioner's objections thereto, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge and it is, therefore,

¹ Under the "mailbox rule" enunciated in *Houston v. Lack*, 487 U.S. 266, 108 S.Ct. 2397, 101 L.Ed.2d 245 (1988), the date the petition is signed and submitted by the inmate to prison authorities for mailing is the effective date of filing.

ORDERED, ADJUDGED and DECREED that the petition for writ of habeas corpus in this action be and the same hereby is DENIED as time-barred.

Done this 18th day of December 2006.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
124153